

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

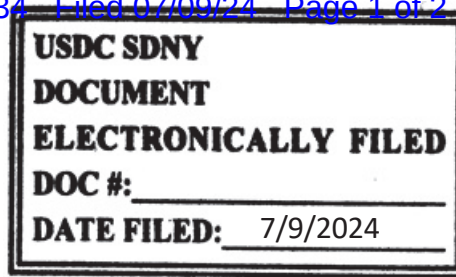
Victor Manual Garibay,

Plaintiff,

-against-

Socratis Foradoulas et al.,

Defendants.



1:23-cv-05111 (PAE) (SDA)

ORDER

**STEWART D. AARON, United States Magistrate Judge:**

This case contains one or more claims arising under the Fair Labor Standards Act. During a settlement conference with the undersigned on June 24, 2024, the parties reached a settlement in principle. In light of the requirements of *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), the parties must file a joint letter or motion that addresses whether the settlement is fair and reasonable.

Any such letter or motion shall be filed by Tuesday, July 23, 2024, and should address the claims and defenses, Defendants' potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of Plaintiff's case and Defendants' defenses, any other factors that justify the discrepancy between the potential value of Plaintiff's claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint letter or motion should also explain the attorney fee arrangement, attach a copy of the retainer agreement, and provide information as to actual attorney's fees expended and the relevant experience of the attorney(s). Finally, a copy of the settlement agreement itself must

accompany the joint letter or motion.

The parties are reminded that in order to consent to conduct all proceedings before the undersigned, pursuant to 28 U.S.C. § 636(c), as the parties indicated during the settlement conference they wished to do, the parties must complete and sign the applicable form, available on the Court's website at <https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf>.

**SO ORDERED.**

Dated: New York, New York  
July 9, 2024

A handwritten signature in cursive script, reading "Stewart D. Aaron", written in black ink.

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STEWART D. AARON  
United States Magistrate Judge